



Senate

General Assembly

February Session, 2014

File No. 617

Senate Bill No. 491

Senate, April 17, 2014

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING HARASSMENT OF A VICTIM OF VIOLENT CRIME OR A RELATIVE OF A VICTIM OF VIOLENT CRIME.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-183 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) As used in this section: (1) "Violent crime" means a crime in
4 which the underlying facts and circumstances of the crime involve the
5 use, attempted use or threatened use of physical force against another
6 person; (2) "victim" means a person who is a victim of a violent crime;
7 and (3) "relative" has the same meaning as provided in section 54-201.

8 ~~[(a)]~~ (b) A person is guilty of harassment in the second degree when:
9 (1) By telephone, [he] such person addresses another in or uses
10 indecent or obscene language; or (2) with intent to harass, annoy or
11 alarm another person, [he] such person communicates with [a] another
12 person by telegraph or mail, by electronically transmitting a facsimile
13 through connection with a telephone network, by computer network,

14 as defined in section 53a-250, or by any other form of written
15 communication, in a manner likely to cause annoyance or alarm; or (3)
16 with intent to harass, annoy or alarm another person, [he] such person
17 makes a telephone call, whether or not a conversation ensues, in a
18 manner likely to cause annoyance or alarm; or (4) with intent to harass,
19 annoy or alarm a victim of violent crime or the relative of a victim of
20 violent crime, such person communicates with such victim or the
21 relative of such a victim regarding the violent crime by means of
22 written, oral or electronic communication.

23 [(b)] (c) For the purposes of this section, such offense may be
24 deemed to have been committed either at the place where the
25 communication originated or at the place where it was received.

26 [(c)] (d) The court may order any person convicted under this
27 section to be examined by one or more psychiatrists.

28 [(d)] (e) Harassment in the second degree is a class C misdemeanor,
29 except that a violation of subdivision (4) of subsection (b) of this
30 section is a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	53a-183

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Municipal Impact: None

Explanation

The bill defines a violent crime and expands the offense of harassment in the second degree to include harassment of a victim of a violent crime. The bill increases the penalty for such offenses and results in a potential revenue gain from fines. Under current law, there were 7 convictions with a total fine revenue of \$2,500 in FY 13.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 491*****AN ACT CONCERNING HARASSMENT OF A VICTIM OF VIOLENT CRIME OR A RELATIVE OF A VICTIM OF VIOLENT CRIME.*****SUMMARY:**

This bill expands the crime of 2nd degree harassment to punish someone who:

1. communicates with a violent crime victim or his or her relative about the crime through written, oral, or electronic means and
2. intends to harass, annoy, or alarm the victim or relative.

The bill applies to harassing someone who was the victim of a crime with underlying facts and circumstances that involve the use, attempted use, or threatened use of force against the person. A relative is the victim's spouse, parent, grandparent, stepparent, child (natural, step, or adopted), grandchild, sibling or half-sibling, or spouse's parent.

The bill makes this crime a class A misdemeanor, punishable by up to one year in prison, a fine of up to \$2,000, or both.

Under existing law, a person commits 2nd degree harassment when he or she:

1. addresses a person in indecent or obscene language or uses such language on the phone;
2. intends to harass, annoy, or alarm a person and communicates through telegraph, mail, fax, computer network, or other written communication in a way likely to cause annoyance or alarm; or
3. intends to harass, annoy, or alarm a person and makes a phone

call in a way likely to cause annoyance or alarm.

By law, these crimes are class C misdemeanors, punishable by up to three months in prison, a fine of up to \$500, or both.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 35 Nay 0 (04/01/2014)